of 1102. A list collected so far of officers to whom increments have been given since then is also appended. (*Vide Appendix III.*)

Allegation against a Police Constable.

617. **Dr. A. R. Menon.**—Will the Government be pleased to answer:—

(a) whether there was any petition from Mr. Chanchan, M. L. C., containing certain allegations against a constable on duty at Ernakulam Bazaar Road; if the answer is in the affirmative, what were these allegations;

(b) to whom the petition was first presented; what action was taken by that officer; was there any subsequent enquiry made by any other officer; if so, the name of the officer and the nature of his report;

(c) was the constable punished; if so, the nature of the punishment and the name of the constable;

(d) was the constable given a chance to submit his explanation and to cross-examine the witnesses on whose statements the report and the final orders were passed;

(e) did the Commissioner make a personal enquiry in the matter;

(f) will the Government be pleased to place all the papers relating to this on the Table?

Mr. P. Nilakanta Menon.—(a) Yes. The allegations were that, as Mr. Chanchan was standing shopping in the Ernakulam bazaar on the after-noon of 22nd Makaram 1104, a constable directed him to get out of the way, and that, on his representing that he was there for making purchases, the constable threatened to beat him if he did not clear away, shoved him and, dragging him by the hand, forced him to stand at a particular spot in the presence of a large number of people including a few of his caste-men.

(b) The petition was first presented to the A Division Inspector, Mr. V. A. Pascal. He forwarded it with his remarks to the Probationary Inspector, Mr. Mannadi Nayar, who claims jurisdiction over Ernakulam Town. Enquiries were made on this by Mr. Mannadi Nayar and subsequently Mr. V. A. Pascal under the orders of the Commissioner. The final report of enquiry of Mr. Pascal disclosed that the constable had misbehaved.

(c) Yes. Constable 95, Parameswara Menon, the constable responsible, was fined eight annas and transferred to Chittur as a punishment.

(d) His written explanation was taken. In enquiries of this kind it was not usual to allow such cross-examination.

(e) No.

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(f) Consistent with the policy of the Department such records cannot be disclosed.

Dr. A. R. Menon.—Who presented the first report after enquiry about this matter to the Commissioner of Police? It is found that two Inspectors were deputed to make enquiries and report. May I know who made the first report?

Mr. P. Nilakanta Menon.—Two Inspectors were deputed to make the report.

President.—You should sit down, Mr. Ravunni Menon, after you have put the question. Unless you sit down, he would not rise.

Dr. A. R. Menon.—Is that the rule?

President.—Yes.

Mr. P. Nilakanta Menon.—Mr. Mannadi Nayar.

Dr. A. R. Menon.—I know that was not the rule till yesterday. This was the custom here. It is rather difficult to sit and stand always.

President.—Not since yesterday. No new rule was passed. The rule of the House is that only one Member can be in possession of the House, not two or three. That has always been the standing rule. We were in error for not following it. If we were committing an error all along, is it necessary that we should err always? The rule was not enforced before.

Mr. P. Nilakanta Menon.—Mr. Mannadi Nayar.

Dr. A. R. Menon.—What was the nature of his report, please?

Mr. P. Nilakanta Menon.—His report was to the effect that the whole thing was exaggerated. He said that there was no blame on the Police constable. The constable was found not guilty to the extent that was made out in the petition.

Dr. A. R. Menon.—Was this paper subsequently sent to another Inspector for investigation and report?

Mr. P. Nilakanta Menon.—Yes; I gave.

Dr. A. R. Menon.—Will the Commissioner of Police inform the House why the report was again sent to another Inspector? What is the reason for sending it again?

Mr. P. Nilakanta Menon.—The first report was not satisfactory. It was not of any use to me to dispose of the matter, because Mr. Mannadi Nayar never cared much about it. He made light of the whole affair. He did not care even to take a statement from Mr. Chanchan; he did not find out who the witnesses were. He never went anywhere and took statements. So I found the whole thing was a farce. It was of no use to me to dispose of the matter. So I had to send it to another Inspector who took statements from Mr. Chanchan and submitted a detailed and full report.

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Dr. A. R. Menon.—Did the Commissioner of Police report the matter to Government against the Inspector for giving a partial report? Was any action, any suspension or action taken by the Government against the Inspector for having submitted a partial report?

Mr. P. Nilakanta Menon.—I took rather a lenient view of the matter because he is rather new to the work. He is only a Probationary Inspector. I did not want to poison his character by a bad report just now to the Government. I thought probably he will be able to learn things by experience. So I advised him in my Proceedings that the irresponsible and haphazard way of enquiring into petitions must be stopped. I think he has learned the lesson. I think that the next time he comes with an incomplete report he will be reported to Government.

Dr. A. R. Menon.—No threat; nobody is going to threaten. The Commissioner of Police, out of respect, out of consideration of his probationary appointment, out of compassion to the new man, did not take action.

President.—That is a comment on the answer.

Dr. A. R. Menon.—I want to know why the Government did not take any action against the officer for having submitted a partial report?

Mr. P. Nilakanta Menon.—I never said a 'partial' report, Sir.

A Member.—The word used was 'farce'.

Dr. A. R. Menon.—Yes, it was farce, farce; I am not an Oxford graduate, I am only an under-graduate and so I am liable to commit mistakes.

Mr. P. Nilakanta Menon.—We must be protected from such insinuations, Sir.

Dr. A. R. Menon.—What is the insinuation? I said I am only an under-graduate; I am not a graduate. Where is the insinuation? I made a mistake.

Mr. P. Nilakanta Menon.—Because he said that he is not an Oxford graduate. I need not explain what he meant by that. I am sure the Hon'ble Member would be able to understand what is meant by that.

President.—It was quite unnecessary. Did you say Oxford graduate?

Dr. A. R. Menon.—Yes. Very well, Sir. If it is unnecessary, we will omit the word 'Oxford'.

If the report was found unsatisfactory, and if another officer was deputed to inquire, did the Commissioner himself make inquiries in the matter?

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Mr. P. Nilakanta Menon.—I should have gladly taken the work upon myself. But the Council was sitting; so I had no time to make enquiries myself.

Mr. K. T. Mathew.—On a point of order, Sir. The Members have to address the Chair.

Dr. A. R. Menon.—I am addressing the Chair. I do not want to be interrupted. I do not want to be interrupted by the Hon'ble Member for Kunnamkulam. I know he is a superfine gentleman. I know how the Hon'ble Member addressed the Director of Public Instruction yesterday. I was here. I know how it was done.

Mr. C. J. Mathew.—On a point of order, Sir. This is not the time for discussion.

Dr. A. R. Menon.—I know what was done yesterday. There was a withdrawal and teaching of good manners yesterday. In the last Council sittings also we have seen such things. Nobody took objection then.

President.—I think you are a little bit excited, Mr. Ravunni Menon. What has been said is that you should obey the ruling of the Chair, *i.e.*, when a Member has put a question, he should sit down so that the Government Member may answer. No two persons should be in possession of the House at one and the same time.

Dr. A. R. Menon.—I have never disobeyed the Chair; never disobeyed any directions from the Chair. But I object seriously when these people, when these gentlemen try to teach me good manners as if they are trying to teach their grandmother to read X.

President.—He did not mean any insult.

Dr. A. R. Menon.—I am only asking a supplementary question, Sir.

President.—The answer was given that he himself did not make any inquiries.

Dr. A. R. Menon.—Then my supplementary question is, before making such serious allegations in the Council against a responsible officer, is it not the duty of the Commissioner of Police to make enquiries himself seeing that it affects the name of a particular officer, before coming to a final decision?

President.—He said he would have made enquiries himself provided he had not to attend the Council sitting.

Dr. A. R. Menon.—Then I am asking whether it is proper, whether it will be proper to make such serious allegations? I do not know whether he could say such things in this House without making a serious enquiry to know whether the report is a farce and that the whole thing is a farce?

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President.—Did you say that the report was a farce?

Mr. P. Nilakanta Menon.—I did, Sir.

President.—Is it in the Appendix?

Mr. P. Nilakanta Menon.—No, Sir. In answering a supplementary question I used that expression and I stick to that.

President.—You should be careful in using such expressions in the Council. The word is objectionable; that is quite granted.

Mr. P. Nilakanta Menon.—If you take objection to the word, I shall withdraw it.

Dr. A. R. Menon.—Was it not a crowded day, a fair day in the Ernakulam Market and was not the Police officer deputed to look after, to regulate the traffic? Was not the Police officer concerned in this report on beat duty on that day?

Mr. P. Nilakanta Menon.—Yes; he was on beat duty on that day.

Dr. A. R. Menon.—Is it not the duty of the constable to regulate the crowd?

Mr. P. Nilakanta Menon.—Yes.

Dr. A. R. Menon.—And if, in the execution of his duty, anybody interfered, has he not the power to remove the obstacle?

President.—He might remove the obstacle.

Dr. A. R. Menon.—In this there is a clear case of protest that " a constable directed him to get out of the way, and that, on his representing that he was *there* for making purchases, etc."

Was he given a chance to explain himself?

Mr. P. Nilakanta Menon.—Yes.

Dr. A. R. Menon.—In what way?

Mr. P. Nilakanta Menon.—He was asked to explain his conduct for the bad way in which he has treated a respectable Member of this House and he put in his explanation, and the Inspector examined one of his own witnesses and he himself spoke against this constable.

President.—And he was fined and he was transferred.

Mr. P. Nilakanta Menon.—Yes.

Dr. A. R. Menon.—He was fined and transferred simply because in the report we find that a certain witness was examined and it was not in favour of the constable. Further the party was allowed to examine witnesses, but the constable was not allowed to put a question to any one of them. All this is because the petitioner happens to be a Member of this House.

President.—These are comments on the answer. You are to simply put the question and take the answer. Whether the

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answer is sufficiently explicit or not, these are all points that do not arise during question time.

Dr. A. R. Menon.—Because this concerns a Member of this House. If it is a comment, I shall sit down.

President.—Mr. Chanchan is a Member of this House. It is an undisputed fact. He referred to it, that is all.

Dr. A. R. Menon.—May I know whether the Police officer, who was punished, was given a chance to cross-examine witnesses who gave evidence against him ?

Mr. P. Nilakanta Menon.—I did not catch the question.

President.—Was the constable given a chance to cross-examine witnesses who gave evidence against him ?

Mr. P. Nilakanta Menon.—The answer is given.

Dr. A. R. Menon.—Why was he not given a chance ?

Mr. P. Nilakanta Menon.—The reason is also given there.

Dr. A. R. Menon.—So the party concerned in such cases is never allowed to cross-examine witnesses ?

President.—The answer is there.

Dr. A. R. Menon.—So, am I to understand that it is usual?

President.—Yes. It seems to be a regular cross-examination.

Dr. A. R. Menon.—Well, Sir, I did not ask this question simply to find my name printed in the answer paper; I have put this question with a certain purpose and to elicit certain information. It is to elucidate that information that I put all these supplementary questions. It is not simply for the sake of putting questions. It is strictly not a cross-examination.

Cheruvirutti Ayurvedic Hospital.

618. Mr. C. A. Kunjunni Raja.—Will the Government be pleased to lay on the Table of the House the office copy of the letter referred to by the Secretary to the Diwan in answer to the supplementary questions to question No. 473 of the Legislative Session of 1102 to the effect that the contribution of Rs. 30,000 to the Cheruvirutti Ayurvedic Hospital was saddled with the restriction that it was payable only for a fixed period of time ?

Mr. U. Kandar Menon.—Yes ; it is placed on the Council Table.

Perincheri Church School.

619. Mr. C. A. Kunjunni Raja.—Will the Government be pleased to state:—

(1) whether the sanction of the Director of Public Instruction was obtained for dismissing Messrs. T. K. Antony, K. A. Antony and N. Subramania Ayyar, teachers in Perincheri

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